

STATE OF VERMONT
DRUG RECOGNITION EVALUATION
 DPS 339



Rolling Log No. 09-4-23 Case Number 09A102074

Page 1 of 1 TO BE COMPLETED BY D.R.E. TRAINED PERSONNEL

Offense(s) Charged

Name (Last, First, Middle) [REDACTED] DOB [REDACTED] Age 21 Sex M Arresting Officer (Name/Agency) OFFICER ANDERSON RICHMOND PD

Date/Time of Arrest 5-17-09/2300 Breath test result .000/0 Time 2250 Refused Instrument # M515 Date/Time/Location of Examination 5-17-09 2320 WILLISTON BARRACKS

Admonition of Rights given by? OFFICER ANDERSON Rights Waived? ☒ Yes ☐ No What have you eaten today? COOKIES/CAKE/SNACK Time? 4:30 PM What have you been drinking? SAKE/WINE How much? 4 SHOTS/GLASSES Time of last drink? 8:00 PM

Time Now? 2300 When did you last sleep? LAST NIGHT How long? 6 1/2 HRS Are you sick or injured? ☐ Yes ☒ No Are you diabetic or epileptic? ☐ Yes ☒ No

Do you take insulin? ☐ Yes ☒ No Do you have any physical defects? ☐ Yes ☒ No Are you under the care of a doctor/dentist? ☒ Yes ☐ No ORTHODONTIST

Are you taking any medication or drugs? MARIJUANA / ALCOHOL ☒ Yes ☐ No Do you have high blood pressure or heart disease? If yes, describe. ☒ No ☐ Yes Have you ever had a severe head injury? ☐ Yes ☒ No Do you have brain damage? ☐ Yes ☒ No

Speech NORMAL Attitude/Behavior COOPERATIVE Coordination NORMAL Face NORMAL Breath/Odors ALCOHOL

Corrective Lenses ☐ Glasses ☐ Contacts ☐ Hard ☐ Soft ☒ None ☐ Normal ☒ Bloodshot ☒ Watery ☐ Blindness ☒ None ☐ Right Eye ☐ Left Eye

Pupil size ☒ Equal ☐ Unequal (explain) [] Able to follow stimulus? ☒ Yes ☐ No Eyelids ☐ Retracted ☐ Normal ☒ Droopy (3) One leg stand Timed 30 seconds Count # 30 Count # 20

Pulse & Time 1. 100 1236 2. 104 12351 3. 100 10006 Lack of smooth pursuit ☐ Yes ☒ No Max. deviation ☐ Yes ☒ No Angle of onset ☐ Resing (0) ☐ Rapid (35) ☐ Extreme (45) ☐ Immediate (0-30) ☐ Near extreme (40) ☐ None Vertical nystagmus? ☐ Yes ☐ No Convergence Right eye Left eye [] []

(1) Romberg Balance EYE LID TREMORS (2) Walk and turn Started too soon Stopped walking Missed heel-toe Stepped off line Raised arms Actual steps taken 9 9 Sways while balancing Used arms to balance Hopping Put foot down Type of footwear HIKING SHOES

Internal clock 23 Estimated as 30 sec. Describe turn MANY SMALL STEPS Cannot do test (explain)

(4) ☐ Right ☐ Left Finger/Nose Draw lines to spots touched [] Pupil Size: MM RED Nasal area GREEN FILM Oral cavity/Tongue []

Room Light 5 5 Near Total Darkness 6.5 6.5 Direct 3.0 3.0 Comments [] Rebound dilation ☐ Yes ☒ No Reaction to light ☐ Normal ☒ Slow ☐ Little or None Visible INDICATE FRESH OR OLD PUNCTURE MARKS Attach Photos of Fresh Puncture Marks (optional) FRONT BACK (R-L) (L-R)

Blood pressure 120/62 Temperature 98.3 °F Muscle tone ☒ Near Normal ☐ Flaccid ☐ Rigid Comments [] Chemical test time: ☐ Blood ☐ Refused Witness: OFFICER ANDERSON

Drug admission? MARIJUANA / ALCOHOL Examining Officer RAVELLIN I.D. Number 229 IACP/DRE # 15470

Agency VSP WILLISTON Reviewed by [] Opinion of Evaluator ☒ Rule Out ☐ Stimulant ☐ Dissociative Anesthetic ☐ Inhalant ☐ Depressant ☐ Hallucinogen ☐ Narcotic Analgesic ☐ Cannabis

06/02/09

09A102074

Name (Last, First, Middle)

Violations

T 23 VSA 1201(a)(3)

Drug recognition evaluation report/narrative

1: **Location:** The evaluation was conducted at the Vermont State Police Barracks DRE processing room in Williston.

2: **Witness:** The entire evaluation was witnessed by Officer Anderson of the Richmond Police Department.

3: **Breath Test:** A preliminary breath test was obtained from [REDACTED] with a PBT result of .000% BrAC at approximately 2250 hours using and Alco IV number M515.

4: **Notification/Interview of A/O:** At approximately 2235 hours, I received a call from Officer Anderson who stated [REDACTED] had crashed his vehicle while traveling west on VT Rte. 2 in the Town of Richmond. Ofc. Anderson stated after [REDACTED] had performed poorly on his Field Sobriety Exercises, he was given a preliminary breath test with a PBT result of .000% BrAC. Anderson stated [REDACTED] had admitted to smoking marijuana earlier in the day.

5: **Initial Observations:** I first observed [REDACTED] at the scene of the crash. [REDACTED] was standing on the side of the roadway. I noted his eyes were blood shot and watery.

6: **Medical Problems:** No evidence of injury or illness was observed.

7: **Psychophysical Tests:** [REDACTED] exhibited minimal impairment while performing the psychophysical tests. I noted eye lid tremors while [REDACTED] performed the Romberg Balance. His internal clock was fast. He estimated a passage of thirty seconds in twenty three seconds. On the One Leg Stand, [REDACTED] used his arms to balance and swayed while balancing while standing on his right foot. [REDACTED] counted slowly by counting to twenty in thirty seconds. On the Finger to Nose, [REDACTED] failed to touch the tip of his nose on steps number One, Two, Three, and Six.

8: **Clinical Indicators: EYES:** I noted a Lack of Convergence in [REDACTED] left eye. His pupil reaction to light was slow. **VITAL SIGNS:** [REDACTED] pulse rate was high on all three readings at 100, 104, and 100.

9: **Signs of Ingestion:** [REDACTED] had a green film on his tongue.

10: **Statements:** [REDACTED] stated he drank four shots of Sake and a half of glass of Chardonnay. [REDACTED] stated he smoked marijuana a few hours ago. He stated he has been smoking approximately two to three bowls of marijuana a day since he was fifteen years old.

11: **Opinion of Evaluator:** Based on my evaluation [REDACTED] was a rule out.

Subscribed and sworn to before me on

this 29 day of MAY 2009

(Notary Public) (Judicial Officer)

(Affiant)

(date)

09A102074

Name (Last, First, Middle)

Violations

T 23 VSA 1201(a)(3)

Drug recognition evaluation report/narrative

12: Toxicological Sample: None

13. Miscellaneous: I am a Nationally Certified Drug Recognition Expert since July 2008

Subscribed and sworn to before me on

this 27 day of MAY, 2009[Signature]
(Notary Public) (Judicial Officer)[Signature]

(Affiant)

5-29-09

(date)